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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,698	10/22/2003	Kazuo Okada	244255US3	4658

22850 7590 02/09/2007  
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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THOMASSON, MEAGAN J

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/689,698

Applicant(s)

OKADA, KAZUO

Examiner

Meagan Thomasson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/22/03, 2/2/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 2 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 2 discloses "a gaming machine... wherein the display unit is disposed on an entirety of the reverse face of the gaming board". This language is awkward, rendering the claim indefinite. Further, the examiner has interpreted this claim to mean "a gaming machine... wherein the entire display unit is disposed on the reverse face of the gaming board". Claim 7 discloses "a gaming machine... wherein a plurality of the display units are disposed". The use of the word "disposed" in this context would indicate the arrangement of the plurality of displays with respect to a location, however this information is not included in the claim language. The examiner has interpreted this claim as "a gaming machine... further comprising a plurality of displays". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi et al. (US 5,725,210).**

Yamaguchi et al. (herein referred to as Yamaguchi) discloses a pachinko style gaming machine comprising a gaming board having at least one winning hole whereby a prescribed number of balls is paid out as the ball falls into the winning hole. Yamaguchi refers to the “winning hole” as a winning port 7 in Fig. 2 and in col. 4, line 22; as well as in col. 2, lines 48-50. The gaming machine also features a display unit which displays images of a variable display game, a single game of which start out with a plurality of symbols being displayed variably and ends with the stopping of the variable display on a plurality of symbols. In reference to fig. 2, Yamaguchi discloses a picture 18, i.e. symbol, is generated on the liquid crystal display (col. 4, lines 9-10), and the symbol, is no longer displayed at the end of the game (col. 4, line 55). Additionally, Yamaguchi discloses the gaming machine as having a display unit disposed on the reverse face of the gaming board and at least a part of the gaming board is transparent in column 6, lines 10-14; col. 2, lines 12-15.

Regarding claim 2, wherein the entire display unit is disposed on the reverse face of the gaming board, Yamaguchi discloses this in col. 2, lines 60-62,

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wherein "it is sufficient that all or parts of the variable display unit below (behind) the base board can be viewed".

Regarding claims 3 and 4, wherein the gaming board has a transmittance rate of 30% or more, and further wherein the gaming board has a transmittance rate of 50% or more, col. 2 lines 58-59 disclose that the game board may be wholly transparent. To be "wholly transparent" is to have a 100% transmittance rate, and therefore meets the limitations of having a 30% or more, as well as a 50% or more, transmittance rate.

Regarding claim 5, wherein the gaming board comprises an acrylic resin, Yamaguchi discloses the use of an acrylic resin gaming board in col. 3, lines 3-15.

Regarding claim 6, wherein the part of the gaming board behind which the display unit is disposed has a peg, Yamaguchi discloses the use of nails, i.e. pegs, attached to the gaming board in col. 2, lines 47-48.

Regarding claim 7, wherein the gaming machine further comprises a plurality of displays, Yamaguchi discloses the use of a plurality of displays in col. 3, lines 1-2.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meagan Thomasson whose telephone number is (571) 272-2080. The examiner can normally be reached on M-F 830-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Meagan Thomasson  
February 1, 2007

Erny V. Lund  
SPE  
TC 3700